

**HOUSE COMMITTEE
ON
AGRICULTURE**

House Bill 290

**Informational Testimony of Greg Ames, Administrator
Agricultural Science Division, Montana Department of Agriculture**

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

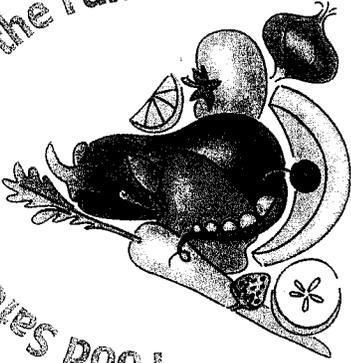
Good afternoon, my name is Greg Ames. I am the Administrator of the Agricultural Science Division with the Montana Department of Agriculture. We understand the concept behind the bill and support small businesses, farmer markets, and other venues that promote "grow and buy local."

House Bill 290 seeks to change the Produce Act, which supports one of the department's top priorities - protecting the health and safety of Montana agriculture and consumers. Department inspectors, performing routine inspections at farmers markets provide market participants with information on pests and diseases of fresh fruit and vegetables, grade standards used in marketing produce and Good Agricultural Practices/Good Handling Practices to reduce microbial contamination of produce.

And while we certainly support growing, selling, and the consumption of local produce, the importation or movement of uninspected produce from outside a local area carries risk of introduction and spread of pests and diseases. We are concerned that a larger number of market participants will be exempt from the license requirement, making it more difficult for the department to trace pests, diseases, or contaminated fruits and vegetables.

The current license fee of \$50 is only required if the grower is selling more than \$15,000 in annual produce sales.

Food Safety Begins on the Farm



Reduce
Microbial
Contamination
with
Good
Agricultural
Practices

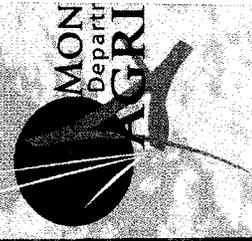
COMMERCIAL PRODUCE PROGRAM



Agricultural Sciences Division

**Commodity Services Bureau
Inspections and Licensing
Ensuring Montana's
Produce Quality**

EXHIBIT 2
DATE 1/29/09
NO 290



Contracts
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Commercial Produce Program

The purpose of this brochure is to inform you of the Montana Department of Agriculture – Agricultural Sciences Division's Commercial Produce Program. Please contact us with any questions.

What Does the Produce Program Do for You?

This program provides licenses to produce dealers in order to ensure the quality of fruits and vegetables distributed in Montana.

The Produce Program's objectives are as follows:

- To ensure that produce meets USDA quality standards; and
- To ensure that produce is free from diseases and pests of concern to the fruit & vegetable industry.

COMMERCIAL PRODUCE PROGRAM



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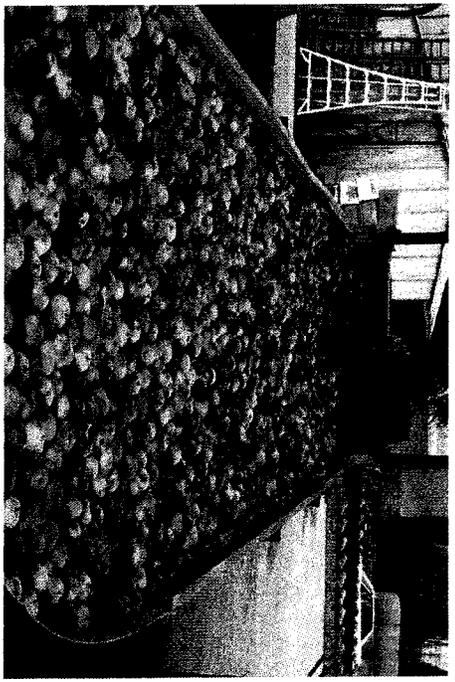
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Who Needs a Produce Dealer License?

- A Produce Dealer license is required for the following:
- Anyone who wholesales produce in the state;
 - Anyone transporting produce from out of state for retail sale in Montana; and
 - Anyone retailing produce grown in the state when gross retail sales exceed \$15,000 annually.

How Do I Get a Produce Dealer License?

- You must obtain a Produce Dealer license each year by January 1, using one of these two options:
- Contact the Department's Commodity Services Bureau to get the appropriate forms; or
 - Download the license form at agr.mt.gov/licensing/forms/ProduceDLrLicForm.doc.

All applicable fees are due with the license application.

How Does CSB Ensure Produce Quality?

The Commodity Services Bureau (CSB) provides statewide regulatory services to the general public and specific agricultural industries. In order to ensure produce quality and provide protection for Montana's produce industry and consumers, CSB inspects and samples produce to confirm that your produce meets USDA standards and is free from diseases and pests of concern to the fruit & vegetable industry.

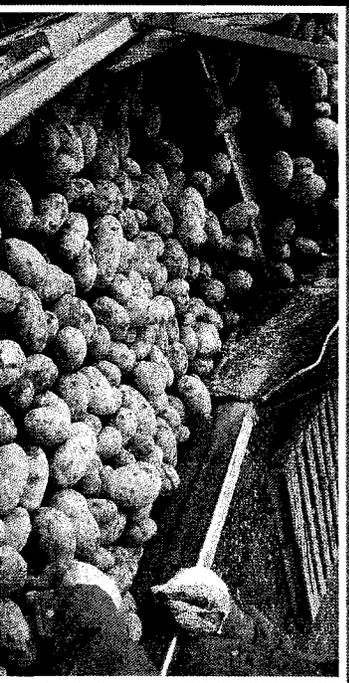
The inspections, available upon request, are as follows:

- For importing produce into Montana:
- Grade inspections;
 - Condition inspections;
 - For exporting produce from Montana:
 - Grade inspections; and
 - Shipping point inspections.

Seed Potatoes

Seed potatoes imported into, exported from or shipped within Montana must meet USDA and Montana seed grade standards. Seed potatoes must also be free from Late Blight, Bacterial Ring Rot and Potato Cyst Nematode.

Seed potatoes shipped into Montana are subject to a Receiving Point Inspection.



What Do I Pay for Inspections and Licensing?

A license fee is due annually by January 1 with the application forms for each place of business, including vehicles.

- Produce dealer license - \$50



The following fees are paid per service, as follows:

- Minimum fee for any inspection - \$20
- Shipping point inspection fee (for exports) - \$0.075 per unit of produce shipped
- Receiving point inspection fee (for imports) - hourly fee

The produce inspection fees are assessed quarterly from distributors for all produce distributed in Montana.

- Produce assessment fee - \$0.06 per unit of produce distributed



Courtesy of Montana Nursery & Landscape Assn.

Nursery & Quarantine Program

The purpose of this brochure is to inform you of the Montana Department of Agriculture – Agricultural Sciences Division's Nursery and Quarantine Program. Please contact us with any questions.

What Does the Nursery and Quarantine Program Do for You?

This program provides licenses for nursery products in order to maintain the quality of all nursery stock that is grown in Montana, imported into and/or exported from Montana.

The Nursery and Quarantine Program's objectives are as follows:

- Ensuring that plant materials are free from harmful pests;
- Monitoring for noxious weeds;
- Checking for label accuracy; and
- Protecting the health of agriculture in Montana.

For more information, please contact:



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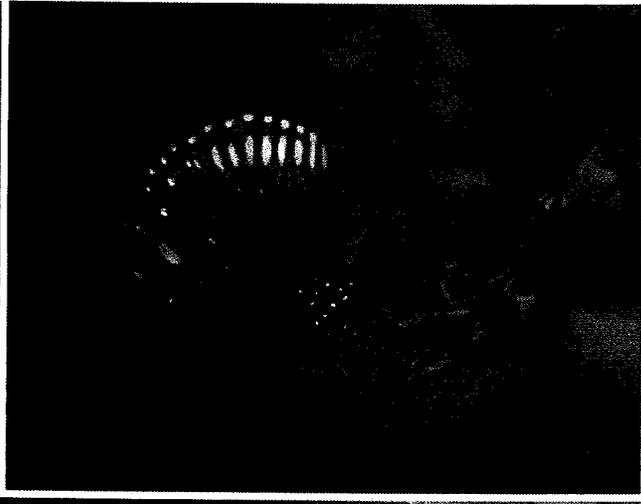
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NURSERY & QUARANTINE PROGRAM



Agricultural Sciences Division

Pest Management Bureau Inspections and Licensing

Ensuring Montana Nursery Stock



EXHIBIT 2
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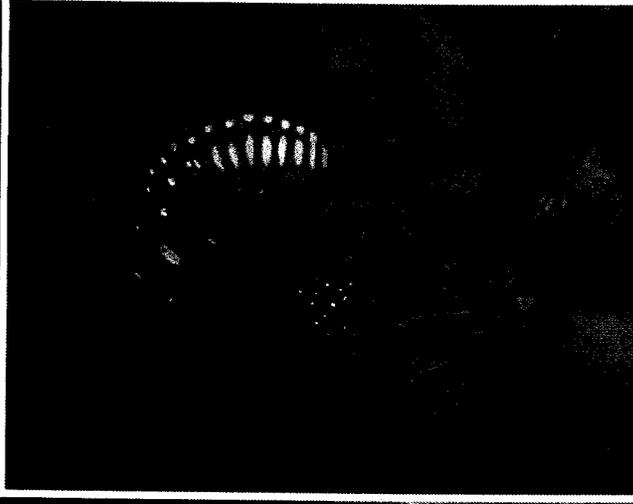
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NURSERY & QUARANTINE PROGRAM



Agricultural Sciences Division

Pest Management Bureau

Inspections and Licensing

Ensuring Montana's

Nursery Stock Quality





Who Needs a Nursery Stock License?

Licenses are required for any person or business that sells or distributes nursery stock in Montana, including the following:

- Nursery growers;
- Retail and wholesale stores carrying nursery stock;
- Exporters and importers of nursery stock;
- Landscapers; and
- Farmers market vendors.

How Do I Get a Nursery Stock License?

You must obtain a nursery license annually, using one of these two options:

1. Contact the department to get information and the appropriate forms; or
2. Download the license application form at mt.gov/revenue/formsandresources/forms/MA.pdf.

How Does PMB Ensure Nursery Stock Quality?

The Pest Management Bureau (PMB) provides statewide regulatory services to the general public and specific agricultural industries. In order to ensure quality nursery stock and provide protection for Montana's nursery industry and consumers, PMB inspects and samples nursery stock at the following locations:

- Florists;
- Nursery stock growing sites;
- Garden centers;
- Nursery stock distribution points;
- Retail stores carrying nursery stock;
- Landscaping businesses;
- Farmers markets; and
- Other locations as needed.

All plant materials available for sale must be properly labeled, listing the scientific and/or common name.

PMB also collects plant samples from various nursery stock growing locations and retail sites to provide information for national surveys.

PMB provides additional service to the nursery industry through constant interaction with the USDA – Animal Plant Health Inspection Service, Plant Protection and Quarantine (USDA – APHIS – PPQ). APHIS PPQ works to prevent introduction and movement of plant pests from outside the United States.

What Do I Pay for Inspections and Licensing?

Nursery licenses are valid for one year from the date of issuance. All license fees will cost a flat fee of \$95 for each location where nursery stock is sold or distributed. Additional fees are listed below.

- Non-refundable application fee: \$25
- Late licensing renewal fee: \$25

For more information or for a Nursery license, visit

agrmt.gov/crops/nursery.asp

The following fees are assessed on a per-item basis, as required:

- Nursery stock certification / Plant inspection certificate: \$50
- Nursery tags: \$0.15 per tag
- Phytosanitary certificates (for export sales of plant materials - additional fees may apply):
 - If monetary value of the shipment is \$1,250 or less: \$23
 - If monetary value exceeds \$1,250: \$50
- Certificate of origin: \$50

